

IN THE CLAIMS

Please amend the claims as follows.

1. (Twice Amended) A coated substrate comprising a substrate coated on at least one side with a continuous layer of an [untitled] unfilled pressure-sensitive adhesive, the pressure-sensitive adhesive having a microstructured surface, wherein the microstructured surface of the pressure-sensitive adhesive comprises a series of features and wherein at least two of three dimensions of each feature selected from the group consisting of (i) length, (ii) width, and (iii) depth or height are microscopic, wherein "microscopic" refers to features of small enough dimension so as to require an optic aid to the naked eye when viewed from any plane of view to determine its shape.

Remarks

Claims 1-15 and 32-43 are pending. Claims 1-15 and 32-43 stand rejected. Claim 1 has been amended to correct a typographical error.

35 U.S.C. § 103

According to the Examiner:

"Claims 1 to 15, and 32 to 43 are rejected under 35 U.S.C. § 103 as being unpatentable over EP '579 to Bridgestone. Bridgestone teaches a coated substrate of the type claimed here. Bridgestone's adhesive sheet has an irregular surface that may be achieved by printing which would be "microscopic" at least to the same degree as the sheet now claimed. The EP at least suggests such a configuration as to the reference expressly suggests providing the features by techniques such as printing. A person having ordinary skill in the art would have found it obvious to provide such surface features to the sheet of the EP because the use of printing techniques at least suggest providing microscopic features."

Applicants respectfully traverse the rejection. Applicants respectfully submit that Bridgestone does not teach or suggest Applicants' invention.

Applicants respectfully submit that Bridgestone discloses two distinct embodiments, neither of which teaches or suggests Applicants' invention. One embodiment is that of discontinuous islands or stripes of the pressure sensitive adhesive on a substrate. (See Figs. 2 and 3 and Example 3 of Bridgestone).

Another distinct embodiment, shown in Figs 1a and 1b of Bridgestone is a continuous pressure sensitive adhesive layer having an uneven adhesion face. However, as discussed further herein, Applicants submit that the uneven face includes "macroscopic" features not "microscopic" features. Applicants' invention, on the other hand, comprises a continuous layer of pressure sensitive adhesive with a microstructured surface wherein at least two dimensions of each feature is microscopic, which is not taught or suggested by Bridgestone.

The portion of Bridgestone that refers to "printing" is found on page 3, lines 49-53 and refers to the embodiment with the discontinuous features only.

Unexamined application EP 0 279 579 A1 ("A1") is clearly not an enabling reference with regard to the second embodiment of Bridgestone in view of the granted EP document (EP 0 279 579 B1, also referred to as "B1" submitted herewith as Exhibit A). No description or disclosure exists in the specification of "A1" concerning the magnitude or dimension of the features prepared by the "irregular section treatment" of the adhesive sheets. The scale and size of the irregularities disclosed in "A1" could not be determined prior to the publication of "B1" (4/21/93).

Referring to "B1", Bridgestone specifically concedes that the irregularities present in the adhesive sheet of the original disclosure are "macroscopic" in scale (see claim 1).

Thus Applicants claimed pressure-sensitive adhesives are microstructured and comprise a series of features wherein at least two of three dimensions of length, width, and depth or height of the features must be microscopic. Bridgestone's features in this other embodiment are macroscopic.

Thus, Applicants submit that Bridgestone fails to teach or suggest the microstructured pressure-sensitive adhesives of the present invention. The scale of the irregularities in "A1" were unknown prior to the publication of "B1". Based on this added disclosure available upon the publication of "B1", it is apparent that surface irregularities in the adhesives of Bridgestone differ in scale from those of Applicants' invention.

Clearly, Bridgestone does not teach or suggest Applicants invention and Applicants respectfully submit that the rejections should be withdrawn.

DOUBLE PATENTING REJECTION

According to the Examiner:

“Claims 1 to 15 and 32 to 43 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 5,650,215. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims are drawn to the same article.”

Applicants respectfully traverse the rejections. A Terminal Disclaimer is submitted herewith to overcome the rejections. Applicants respectfully submit that the rejections should be withdrawn.

35 U.S.C.112

According to the Examiner:

“Claims 1 to 15 and 32 to 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what the scope and content of the term ‘untitled’ is. This appears to be a typographic error. For the purposes of the Office Action, it has been assumed that ‘untitled’ was intended to be ‘unfilled.’”

Applicants respectfully traverse the rejections. Claim 1 has been amended to correct the typographical error. Applicants had intended to include the term “unfilled” rather than “untitled”. Applicants respectfully submit that the rejections be withdrawn.

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CONCLUSION

Applicants submit that the claims contained allowable subject matter and respectfully request allowance thereof. The undersigned invites the Examiner to telephone her at 651-733-4995 to discuss the Amendment in order to facilitate allowance of the application.

Respectfully Submitted By:

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Date

Janice L. Dowdall
Janice L. Dowdall
Registration No. 31,201

3M Office of Intellectual Property Counsel
P.O. Box 33427
St. Paul, Minnesota 55133-3427
(651) 733-4995